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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/005,208	12/04/2001	Michael Becker	6470	5597
50811 7590 09/14/2010 O'Shea Getz P.C. 1500 MAIN ST. SUITE 912 SPRINGFIELD, MA 01115				
EXAMINER NGUYEN, KHAI MINH				
ART UNIT		PAPER NUMBER		
2617				
MAIL DATE		DELIVERY MODE		
09/14/2010		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/005,208	BECKER ET AL.	
	Examiner	Art Unit	
	KHAI M. NGUYEN	2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 July 2010.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 5-8 and 12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 9 is/are allowed.
- 6) ☒ Claim(s) 1, 5-7, and 12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)
2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948)
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____. | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
5) <input type="checkbox"/> Notice of Informal Patent Application
6) <input type="checkbox"/> Other: _____. |
|---|---|

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1, 5-8, and 12 have been considered but are moot in view of the new ground(s) of rejection.

Double Patenting

2. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. See *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Omum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and, *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent is shown to be commonly owned with this application. See 37 CFR 1.130(b).

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

3. Claims 1 and 12 are rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 6 and 8 of U.S. Pat No. 6647327 in view of O'Neill, Jr (U.S.Pat-6069588).

The subject matter claimed in the instant application is fully disclosed in the patent and is covered by the patent since the patent and the application are claiming common subject matter, as follows:

Instant application: <u>Claim 1</u> : A motor vehicle Media Oriented Systems Transport data communication network, comprising:	Pat. No.6647327. <u>Claim 6 and 8</u> : A multimedia system suitable for use in a vehicle and capable of communicating with an external unit, comprising:
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<p>a ring bus; a plurality of multimedia units connected to the ring bus; and</p> <p>a wireless transceiver connected to the ring bus, where the wireless transceiver receives outgoing data from the ring bus and transforms the outgoing data to a wireless data format and transmits the transformed data, and receives incoming data and transforms the incoming data and provides transformed incoming data indicative thereof to the ring bus,</p> <p>12. A motor vehicle Media Oriented Systems Transport data communication network that communicates over a wireless communication channel with a wireless device, comprising: a ring bus; a plurality of multimedia units connected to the ring bus; and means for receiving outgoing data from the ring bus in a first data format compatible with the Media Oriented Systems Transport network, and for transforming the outgoing data to a second data format compatible with a wireless communication channel and for transmitting a transformed output data signal indicative thereof over the wireless communication channel,</p>	<p>an interface unit; a plurality of multimedia units;</p> <p>data bus configured as a ring line in the vehicle, wherein said interface unit and said plurality of multimedia units are each connected to said data bus; and wherein said interface unit establishes a radio connection with the external unit, and wherein said interface unit comprises a coordination unit that coordinates requests received over said data bus from said multimedia units for radio connections to the external unit. wherein said interface unit receives multimedia data over the radio connection and sends the received multimedia data over said data bus to at least one of said multimedia units.</p> <p><u>Claim 6 and 8:</u> A multimedia system suitable for use in a vehicle and capable of communicating with an external unit, comprising: an interface unit; a plurality of multimedia units;</p> <p>data bus configured as a ring line in the vehicle, wherein said interface unit and said plurality of multimedia units are each connected to said data bus; and wherein said interface unit establishes a radio connection with the external unit, and wherein said interface unit comprises a coordination unit that coordinates requests received over said data bus from said multimedia units for radio connections to the external unit. wherein said interface unit receives multimedia data over the radio connection and sends the received multimedia data over said data bus to at least one of said multimedia units.</p>
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Pat.No.6647327 fails to specifically disclose where the incoming data formatted as Bluetooth data; and where the transformed output data signal is formatted as Bluetooth data.

However, O'Neill teaches where the incoming data formatted as Bluetooth data (abstract: Bluetooth protocol, col.6, lines 43-65); and where the transformed output data signal is formatted as Bluetooth data (abstract: Bluetooth protocol, col.6, lines 43-65).

Therefore, It would have been obvious to one having ordinary skill in the art at the time the invention was made to apply the teaching of O'Neill to Pat.No.6647327 to improve the transmission data in communication wireless system.

Although the conflicting claims are not identical, they are not patentably distinct from each other because patent claims are broader in every aspect than the instant application.

Allowable Subject Matter

4. Claim 8 is allowed.

Applicant's independent claim 8: The present invention is directed to a method of communicating over a wireless communication channel between a motor vehicle Media Oriented Systems Transport network having a wireless transceiver and a wireless device, the independent claim identifies the patentably distinct feature "receiving outgoing data at the wireless transceiver in a first data format compatible with the Media Oriented Systems Transport network and transforming the outgoing data to a second data format compatible with the wireless communication channel and providing a transformed output signal indicative thereof; transmitting the transformed output signal over the wireless communication channel; and receiving incoming data at the wireless transceiver in the second data format and transforming the incoming data to the first data format, and providing a transformed input signal indicative thereof, where the second data format is compatible with Bluetooth". Applicant's independent claim 8 comprises a particular combination of elements, which is neither taught nor-suggested by prior art.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Bahren et al. (U.S.Pub-20020054520) discloses method for generating a second address.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to KHAI M. NGUYEN whose telephone number is (571)272-7923. The examiner can normally be reached on 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent P. Harper can be reached on 571.272.7605. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/AJIT PATEL/
Primary Examiner, Art Unit 2617

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/Khai M Nguyen/
Examiner, Art Unit 2617

9/7/2010